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MINUTES OF A REGULAR CITY COUNCIL MEETING HELD OCTOBER 17, 1983

PRESENT

Grant S. Nielson
Max Bennett
Don Bird
Don Dafoe
Ruth Hansen
Willis Morrison

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

None

OTHERS PRESENT

Warren Peterson
Dorothy Jeffery
John Quick
Rita Byrd
Sherri Terrell
Neil Forster
Ray Valdez
Greg Cooper
Randy Green
Craig Greathouse
Martin Ludwig
Kjell Jenkins
Harvey Rowlette
Dave Rowlette
Donna Rowlette
Chad Moss
Bob Pendray
Mark Amott
Jim Fletcher

City Attorney
City Recorder
City Engineer
City Billing Clerk
City Secretary
City Public Works Superintendent
City Building Inspector
City Chief of Police
Dana, Larsen, Roubal and Assoc.
City Resident
City Resident
City Resident
City Resident
City Resident
City Resident
City Resident
Pendray Construction Co.
Millard County Chronicle
KNAK (Radio Station)

MINUTES

Minutes of a Special City Council Meeting held October 11, 1983, were discussed and corrected. Councilman Don Dafoe MOVED and Council Member Ruth Hansen SECONDED the motion to accept the meeting minutes of October 11, 1983, as corrected. The motion carried unanimously.

Minutes of the October 12, 1983, Special City Council Meeting were tabled.

ACCOUNTS PAYABLE

City Recorder Dorothy Jeffery read the list of accounts payable. Councilman Max Bennett MOVED and Council Member Ruth Hansen SECONDED the motion to pay the current bills. The motion carried unanimously.

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REQUEST FROM CHAD MOSS TO PARK HIS MOBILE HOME ON ALFRED LAKE'S PROPERTY
LOCATED AT 150 SOUTH AND 300 EAST

Mr. Chad Moss explained that he worked for Alfred Lake and that he and Mr. Lake were in the process of negotiating terms for the purchase of a lot at 150 South 300 East on which Mr. Moss has located a mobile home occupied by him and his family. He stated that he would like to build a log cabin home on this lot. He asked the Council if they could issue him a temporary permit to park his 12 X 50 mobile home there until his home was completed.

City Attorney Warren Peterson stated that there are provisions for a travel trailer or recreational vehicle used as a temporary office for construction purposes in the zoning ordinance, but there are no provisions for a temporary permit for a mobile home.

Both Public Works Superintendent Neil Forster and City Inspector Ray Valdez had previously told Mr. Moss that he would be in violation if he parked his mobile home at this location. Mr. Moss stated that he had no choice but to leave it there because of financial reasons. He stated that he did have it parked at Rancho Mobile Home Estates, but he could no longer leave it there.

Mr. Moss asked if a clause could be written or a new ordinance could be established providing for a temporary permit to be issued for parking a mobile home on a lot where a new home is being built until completion of the home. The Council discussed this possibility, but felt that the City residents would object to such a change. They asked Mr. Moss to move his mobile home within the next week.

RESOLUTION AND CONTRACT TO HIRE JIM ALLAN AS CITY ADMINISTRATOR

City Attorney Peterson passed out a proposed resolution approving an employment agreement with Jim Allan and reviewed it with the Council. He stated, in response to a question from Council Member Bennett, that the proposal that Mr. Allan had made that he be exempt from participation in the Utah State Retirement fund was not feasible and suggested that the Council contact Mr. Allan by telephone in a closed session at the end of the meeting to discuss this problem. The Council concurred.

DISCUSSION ON PROPOSED AMENDMENTS TO THE BUSINESS LICENSES

City Recorder Dorothy Jeffery asked for the Council's guidance on how to handle in-home business licenses. The Council discussed the different types of in-home businesses and instructed City Recorder Jeffery to handle the 1984 in-home business licenses as instructed under the present ordinance.

PAY REQUEST FROM WILFORD JENSON ON THE MUNICIPAL CITY OFFICE BUILDING

Randy Green, City Architect, presented the pay request from Wilford Jenson Construction on the completed portion of the City Building construction contract. Councilman Don Dafoe made a MOTION to pay Wilford Jenson Construction the requested amount of \$42,417.20. Council Member Ruth Hansen SECONDED the motion, which passed unanimously.

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SET PUBLIC HEARING TO ADJUST ALL CORNER LOT SET BACKS FROM 25 FEET TO 20 FEET

Mayor Nielson stated that the Planning and Zoning Committee had forwarded a written recommendation that the set back for corner lots be changed from 25 feet and 25 feet to 25 feet and 20 feet.

Mr. Bob Pendray, a local developer, stated that this extra 5 feet would make a lot of difference in construction on these corner lots. He explained to the Council the disadvantage that the corner lot owner faced with the 25 foot set back on two sides.

The Council discussed the possibility of this change increasing productivity on the vacant lots. The Council asked City Attorney Peterson to prepare an ordinance decreasing the required set back for corner lots.

OTHER BUSINESS

Randy Green, City Architect, presented a color schematic for the Delta Municipal Building. The Council looked over and discussed the schematic. Councilman Don Dafoe MOVED and Council Member Ruth Hansen SECONDED the motion to accept the color scheme as presented for the Delta Municipal Building. The motion carried unanimously.

City Engineer John Quick presented the estimated costs for the drainage lines at 450 South. The price would increase by \$9,000.00 to increase the pipe size from a 15' to a 24' and for the additional depth required. Mr. Quick stated that until the City has received a firm commitment from the Union Pacific Railroad on whether or not the Union Pacific could cut the railroad where the drainage line crosses, it could not be pursued any further.

City Engineer John Quick stated that Roger Stowell from Intermountain Power Agency has requested a master plan be set up for sidewalks to the White Sage Subdivision. Mr. Stowell asked that the Council propose a traffic plan to the White Sage Park. City Engineer John Quick stated that, according to Mr. Stowell, IPA would prefer to put in sidewalks to the park rather than to the Delta South Elementary along 450 South, because the students are now going to be bussed. Mr. Quick stated that he would present a map of the existing sidewalks at the next City Council Meeting.

Due to many problems beyond operator control with the payroll program, the credibility of the entire computer system has been totally damaged. Dorothy Jeffery and Rita Byrd feel at this time it is a waste of time and money to continue to enter the necessary data for budget, billing, quarterly reports, etc. on the present BCI computer.

Police Department and budgetary information have not been entered because the computer has not functioned sufficiently to isolate the problems that exist in the hardware or software.

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When the computer was purchased, the city told Robison and Hill, auditors for Delta City, that the city would no longer need to enter our budgetary information on their computer since we now owned a computer. As a result of this, we are going into the fourth month without a monthly financial statement because the BCI computer purchased by the city has not performed. A monthly financial statement is something that is needed by the Mayor, Administrator, City Council and also by the State Auditor.

The utility billing program which came with the computer was not adequate to make the computations necessary for the Delta City water/sewer billing. A revised program was eventually written, but it still does not meet the City's needs. A sample utility program with approximately 15 accounts has been used and even with these few accounts, the computer cannot print a billing without some very serious errors. Approximately six weeks ago, a programmer with BCI said that the corrections on the Delta City revised billing program would take top priority. As of this date the City has not received even another comment regarding the program.

Mayor Nielson discussed with the Council some of the serious problems that the personnel have been having with the recently purchased computer. Dorothy Jeffery stated that she had entered payroll on the computer as of July 1, and has yet to have a correct payroll. All payroll data is entered on the computer, then several reports are written from the same stored data but these reports fail to show the same totals. Some terminated employees have had paychecks printed even though they have been taken out of the pay cycles and their salary amount changed to "0". Other terminated employees have not had paychecks printed nor added to any payroll report totals, yet they have been accumulating earnings in the quarterly worksheet, which makes it impossible to use the data from the computer without manually checking the totals.

City Attorney Peterson recommended that a formal notice of inadequacy of the machine and the software be sent to BCI, Burgoyne Computer Inc. Councilman Willis Morrison MOVED City Attorney Peterson give formal notice of the inadequacy of the computer system and follow through on any action needed to recover the City's money from BCI. Councilman Don Bird SECONDED the motion, which passed unanimously.

Councilman Don Dafoe made a MOTION to go into a closed session to discuss personnel consideration and negotiations with Millard County regarding housing of prisoners. Councilman Willis Morrison SECONDED the motion, which passed unanimously. The Council adjourned into a closed session at 10:42 p.m.

After meeting in closed session to discuss the hiring of Jim C. Allan as the professional administrator for Delta City and negotiations with Millard County regarding costs of housing and transporting prisoners, Don Dafoe MOVED to reconvene into open session. Max Bennett SECONDED the motion. The motion was approved by a unanimous vote.

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The Mayor asked the Council whether the Council desired to consider the resolution appointing Jim C. Allan as city administrator and approving execution of an employment agreement between Delta City and Mr. Allan. Max Bennett thereupon MOVED to adopt Resolution 83-99, entitled:

A RESOLUTION OF THE CITY OF DELTA, UTAH APPOINTING JIM C. ALLAN TO THE OFFICE OF DLETA CITY ADMINISTRATOR AND APPROVING AN EMPLOYMENT AGREEMENT BETWEEN DELTA CITY AND JIM C. ALLAN AND ADOPTING BY REFERENCE THE PROVISIONS OF SAID EMPLOYMENT AGREEMENT.

Don Bird SECONDED the motion. The Mayor requested a roll call vote on the resolution. The voting was as follows:

YES:	Max Bennett
	Don Dafoe
	Willis Morrison
	Ruth Hansen
	Don Bird

NO:	None
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HOUSING AND TRANSPORTATION OF PRISONERS

Mayor Nielson asked Police Chief Greg Cooper and City Attorney Peterson to report on negotiations conducted on the afternoon of Monday, October 17, 1983, with representatives of Millard County regarding housing and transportation of prisoners. Mr. Peterson and Mr. Cooper explained alternatives for payment of prisoner housing and for transportation of prisoners. There were two proposals for paying housing costs: First, division of fines assessed by the courts on convicted defendants sentenced to serve jail time. Second, payment of a flat daily rate for housing of prisoners. The rate would reflect the actual daily cost of keeping the prisoners, exclusive of capital and personnel costs. Mr. Peterson reported that the estimates given by Millard County Sheriff Ed Phillips for such a rate was \$8.00 to \$10.00 per day. The consensus of the Council members was that the flat daily rate of \$8.00 to \$10.00 was preferred to a percentage of fines. The Council authorized Mr. Cooper and Mr. Peterson to further negotiate a proposed written agreement with Millard County.

The division of costs between Millard County and Delta for fire protection was also discussed. The relationship of Intermountain Power Agency funding to the sharing of costs between Delta City and Millard County was discussed, as well as responsibility for deployment of equipment to fires located outside the Delta corporate limits.

WEAPONS PURCHASE FOR POLICE DEPARTMENT

Police Chief Greg Cooper described specifications for handguns to be purchased by the police department and requested authorization to trade existing weapons for weapons meeting the desired specifications. He also

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requested authorization to purchase a rifle for special weapons purposes. The standards for weapons and costs of weapons manufactured by Smith and Wesson Company and Ruger Arms were discussed.

After discussion of the alternatives by the Council members, Max Bennett MOVED to authorize the purchase of either Ruger or Smith and Wesson weapons meeting the police department specifications and to authorize purchase of a rifle for special weapons purposes. Willis Morrison SECONDED the motion. The motion was approved by unanimous vote.

Mayor Nielson asked if any further business needed to come before the meeting. Willis Morrison thereupon MOVED adjourn the meeting. Don Dafoe SECONDED the motion. All Council members voted in favor of the motion. Mayor Nielson declared the meeting adjourned at 12:03 a.m. on October 18, 1983.


Mayor Grant S. Nielson

City Recorder Dorothy Jeffery

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD OCTOBER 31, 1983

PRESENT

Grant S. Nielson
Max Bennett
Don Bird
Don Dafoe
Ruth Hansen
Willis Morrison

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

None

OTHERS PRESENT

Warren Peterson
Dorothy Jeffery
Ray Valdez
Neil Forster
Greg Cooper
Rita Byrd

City Attorney
City Recorder
City Building Inspector
Public Works Superintendent
City Chief of Police
City Billing Clerk